

# Tobacco advertising and promotion

## Trading Standards information

[www.southwark.gov.uk](http://www.southwark.gov.uk)

There are now new regulations controlling the amount of tobacco advertising allowed in premises where tobacco products are sold.

### 1. Main legal requirements

The maximum area of tobacco advertising at point of sale is now restricted to A5 in size (half the size of this A4 information leaflet).

### 2. What will this mean?

You will no longer be able to advertise tobacco products within your premises other than at 'point of sale' and any advertising that you do will be restricted to an A5 size in total.

Shop awnings that carry a tobacco brand or logo, posters in windows and sandwich boards outside premises that advertise tobacco products are prohibited.

### 3. What is meant by point of sale?

This is the point where your gantry or display unit is fixed. You may therefore advertise at this place but nowhere else in the premises. If you have more than one point of sale within the premises then you may only advertise at one point. If the premises are occupied by more than one business, then each business within the premises may have one point of sale.

### 4. What sort of advert can I have?

The advert must be two-dimensional and may be one single advert or several provided that the total area does not exceed A5 in size. The advert can include the following information:

- the name, or emblem or any other feature of the tobacco product
- the price of a packet and the size that the price relates to

The advert must include the warning: 'Smoking Kills' or 'Smoking seriously harms you and others around you' and 'NHS Smoking Helpline 0800 1690169'

You may not have any advertisement that is displayed electronically on a screen or contains a moving image or background or an image that changes colour or is lit by flashing lights. The tobacco products themselves must not be displayed in a way that could constitute a tobacco advertisement.

## 5. Other legal requirements for tobacco retailers

### ▪ Tobacco warning notice

You must display the following warning statement at the point of sale, or in a prominent position where anyone purchasing tobacco products can read it.

**IT IS ILLEGAL TO  
SELL TOBACCO  
PRODUCTS TO  
ANYONE UNDER  
THE AGE OF 18**

No other wording is permitted and the statement must be at least A3 size (297mm by 420mm). The letters must be at least 36mm in height. Free laminated notices are available from Trading Standards.

### ▪ Sales to children

It is illegal to sell tobacco products to any person under the age of 18 irrespective of the appearance of that person. Trading Standards regularly carry out underage sales enforcement exercises using underage volunteers. A separate information leaflet is available on this subject.

### ▪ Sales of singles

The sale of cigarettes other than in their original packet is illegal. You cannot break open packs and sell singles etc.

### ▪ Health warnings, tar, nicotine and carbon monoxide yields and duty paid markings

It is illegal to sell any tobacco products that are not marked with English language warnings and UK Duty Paid markings.

### ▪ Vending machines

Advertising and warning notices are also controlled – a separate information leaflet is available.

## 6. What happens if the advertising requirements are not complied with?

The advertising controls are contained in the Tobacco Advertising and Promotion (Point of Sale) Regulations 2004. These were made under the Tobacco Advertising and Promotion Act 2002. If convicted of an offence the maximum penalty is an unlimited fine or imprisonment up to 2 years, or both.

## 7. Further information

If you require further assistance on the regulations, or would like additional information leaflets, please contact us at the address given.